

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>FISH NET, INC., trading as THAT</b>	:	<b>CIVIL ACTION</b>
<b>FISH PLACE - THAT PET PLACE,</b>	:	
<b>Plaintiff</b>	:	
	:	
<b>v.</b>	:	<b>NO. 09-5466</b>
	:	
<b>PROFITCENTER</b>	:	
<b>SOFTWARE, INC., et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, this    30th       day of March, 2011, upon consideration of the defendants' motion to dismiss the amended complaint (Document #19), the response of the plaintiff thereto (Document #22), and the reply of the defendants (Document #24), it is hereby ORDERED that the motion is GRANTED in part and DENIED in part.

BY THE COURT:

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.